

August 16, 2016

VIA ECF

The Honorable James L. Cott
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Hernandez et al. v. The Fresh Diet et al.*
Case Number: 15 CV 1338 (ALC) (JLC)

Dear Judge Cott:

We represent the Defendants The Fresh Diet, Inc. (“Fresh Diet”), Late Night Express Services, Inc. (“Late Night”), Fresh Diet Express Corp., The Fresh Diet – NY, Inc., Fresh Diet Grab & Go, Inc., YS Catering Holdings, Inc., YS Catering, Inc., Fresh Diet Express Corp., New Fresh, Co., LLC. (“New Fresh”), Syed Hussian (“Hussain”), Judah Schlass (“Schlass”), and Zalmi Duchman (“Duchman”) (collectively, “Defendants”). We write in response to Plaintiff’s August 8, 2016 letter seeking a conference to discuss our anticipated motion to withdraw as counsel for Defendants and the impact of same on the current discovery schedule.

We do not oppose Plaintiffs’ request for a conference. However, should the Court be inclined to hold one, we respectfully request that Defendants’ deadline to file reply papers in further support of their outstanding motion for dismissal be adjourned *sine die* pending the conference. Plaintiffs consent to this request.

Furthermore, we are prepared to file our pre-motion letter in support of our application to be relieved as counsel as soon as the Court issues a ruling on our request to submit our filing *in camera*. See Dkt. # 56.

Thank you for your consideration of the foregoing.

Respectfully submitted,
Kaufman Dolowich & Voluck, LLP



Aaron N. Solomon Esq.

CC: All Counsel, by ECF